

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DIOMED, INC.,

Plaintiff,

v.

ANGIODYNAMICS, INC.,

Defendant.

Civil Action No. 04-10019 RGS

DIOMED, INC.,

Plaintiff,

v.

VASCULAR SOLUTIONS, INC.,

Defendant.

Civil Action No. 04-10444 RGS
**(CONSOLIDATED UNDER
04-10019 RGS)**

SECOND DECLARATION OF JOHN L. STRAND

1. I, John L. Strand, am an attorney with Wolf, Greenfield & Sacks, P.C., counsel for Diomed in the above captioned matter.

2. Attached as Exhibit 1 is a true and accurate copy of an office action response dated March 15, 2001 (paper number 8) from the file history of the patent application that led to the '777 patent

3. Attached as Exhibit 2 is a true and accurate copy of print-outs from the websites of the defendants dated February 27, 2006

4. Attached as Exhibit 3 is a true and correct copy of Defendant Angiodynamics, Inc.'s Supplemental Answers To Plaintiff's First And Second Sets Of Interrogatories To Defendant Angiodynamics, Inc.

5. Attached as Exhibit 4 is a true and correct copy of Defendant's Supplemental Answers To Plaintiff's First Set Of Interrogatories To Defendant Vascular Solutions, Inc.

6. Attached as Exhibit 5 is a true and correct copy of a portion of William Appling's Deposition (Angiodynamics' Rule 30(b)(6) deposition on validity) taken on November 10, 2005.

7. Attached as Exhibit 6 is a true and correct copy of portions of a book entitled, Lasers In Cutaneous and Aesthetic Surgery, Kenneth A. Arndt, M.D., Jeffrey S. Dover, M.D., Suzanne M. Olbright, M.D., Lippincott-Raven Publishers (1997).

I swear under the pains and penalties of perjury that the foregoing is true and accurate to the best of my knowledge and belief.

Dated: February 28, 2006

/s/ John L. Strand

John L. Strand